

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 15, 2002**

Court convened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Rylaarsdam, Acting P.J., O'Leary, J., Moore, J., Aronson, J., and Fybel, J. M. Urena, Deputy Clerk attending.

CIVIL JOHN C. ZAHN et al.
No. v.
G027711 AAMES HOMES LOAN COMPANY et al.

Merits. Cause called. Richard V. McMillan argues for appellants. Eric D. Houser argues for respondents. Cause submitted.

CIVIL INTERBANK FUNDING GROUP
No. v.
G028103 ANNWIN, INC. et al.

Merits. Cause called. Gregory L. Bosse argues for appellant. Jan A. Zemanek argues for respondents. Cause submitted.

CIVIL DENNY STEELMAN et al.
No. v.
G027280 D. RUSSELL PFLUEGER et al.

Merits. Cause called. Steven R. Young argues for appellants. John L. DiFiore argues for respondents. Cause to be submitted on May 20, 2002, or upon receipt of supplemental record on appeal or a letter from appellant stating he will not be providing the court with a supplemental record.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 15, 2002 (Cont'd)**

Court re-convened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Rylaarsdam, J., Bedsworth, J., and O'Leary, J. M. Urena, Deputy Clerk attending.

CIVIL PATRICIA MERIWETHER
No. v.
G027921 GEMINI ASSOCIATES, INC.

Merits. Cause called. Christopher C. Hoffman argues for appellant. David E. Faliszek is present for appellant. Jonathan D. Primuth argues for respondent. Cause submitted.

CIVIL LLOYD THOMAS MURPHY
No. v.
G027229 JOHN F. MURPHY

Merits. Cause called. Bonnie K. Lawley argues for appellant. Vanessa A. Parsons argues for respondent. Cause submitted.

CIVIL AHMAD HEIDARY et al.
No. v.
G026035 FARZAD YADOLLAHI et al.

Merits. Cause called. Morris Stone argues for appellants. Charles W. Tourdot argues for respondents. Cause submitted.

CIVIL KAMBIZ FARNAAM
No. v.
G028447 ATLANTIC RICHFIELD COMPANY

Merits. Cause called. Mohammed K. Ghods argues for appellant. Rita Gunasekaran argues for respondent. Cause submitted.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 15, 2002 (Cont'd)**

CIVIL H. GEORGE BRENNAN
No. v.
G027349 STEVEN A. SILVERSTEIN

Merits. Cause called. Joshua M. Wolff argues for appellant. Efren A. Compean argues for respondents. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 15, 2002 (Cont'd)**

CIVIL	EDWARD R. DANOFF, JR.	Not for publication
No.	v.	
G027356	JEAN CARPENTER et al.	

Opinion filed. Dismissed as moot.

Sills, P.J.

We concur: O'Leary, J.
Moore, J.

CIVIL	JEAN CARPENTER et al.	Not for publication
No.	v.	
G027512	EDWARD R. DANOFF, JR.	

Opinion filed. Judgment reversed with directions.

Sills, P.J.

We concur: O'Leary, J.
Moore, J.

CRIM	THE PEOPLE	Certified for publication
No.	v.	
G028341	STEPHEN CUCCIA, JR.	

Opinion filed. Judgment reversed and remanded.

Rylaarsdam, J.

We concur: Sills, P.J.
Moore, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 16, 2002**

Court re-convened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Rylaarsdam, J., Moore, J., and Fybel, J. M. Urena, Deputy Clerk attending.

CIVIL SAL HASSAN
No. v.
G028650 THE CITY OF CYPRESS

Merits. Cause called. Joshua Kaplan argues for appellant. William W. Wynder argues for respondent. Cause submitted.

CIVIL Michael DeRose
No. v.
G028450 Law Offices of John M. Heurlin

Merits. Cause called. Maria A. Caligiuri argues for appellant. Christopher J. Day present for respondent. The court has continued the oral argument to the May calendar.

CIVIL PARK TERRACE LIMITED et al.
No. v.
G029283 ROBERT D. TEASDALE et al.

Merits. Cause called. Dennis V. Menke argues for appellants. Michael G. Dawe argues for respondents. Cause submitted.

CIVIL JOHN SZETELA
No. v.
G029323 DISCOVER BANK

Merits. Cause called. Brian R. Strange argues for appellant. Barry L. Kramer is present for appellant. Joel A. Feuer argues for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 16, 2002 (Cont'd)**

Court re-convened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Rylaarsdam, Acting P.J., Bedsworth, J., Moore, J., and Aronson, J. M. Urena, Deputy Clerk attending.

CIVIL TOROS AVIKIAN et al.

No. v.

G026372 W T C FINANCIAL CORPORATION et al.

G026814

Merits. Cause called. Gerald M. Shaw argues for appellants. David E. Outwater argues for respondents Michael Lowther, Jack Harris, and Gary Nelson. Richard Goodman is present for respondents Michael Lowther, Jack Harris, and Gary Nelson. Steven J. Green, Deputy Attorney General argues for respondent The Insurance Commissioner. Cause submitted.

CIVIL RPM PRODUCTS et al.

No. v.

G028542 COREEN NORH et al.

Merits. Cause called. Julie A. Palafox argues for appellants. Phillip B. Greer argues for respondents. Cause submitted.

CIVIL MICHAEL K. RILEY

No. v.

G027990 LAW OFFICES OF JOHN REED et al.

Merits. Cause called. George S. L. Dunlop argues for appellant. Eliseo D.W. Gauna makes a special appearance and submitted on the briefs for respondent John Reed in propria persona. Cause submitted.

CIVIL MXM ESSENTIAL FORMULAS, INC.

No. v.

G027998 SUN TEN LABORATORIES, INC.

Merits. Cause called. David C. Haber argues for appellant. Joseph Mudd argues for respondent. Cause submitted.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 16, 2002 (Cont'd)**

CIVIL THOMAS J. O'KEEFE
No. v.
G027805 ERICA HAN

Merits. Cause called. Dale E. Washington argues for appellant.
Thomas J. O'Keefe argues for respondent. Cause submitted.

Court declared a recess.

CRIM THE PEOPLE
No. v.
G027859 JOSE GUADALUPE BATALLA and
 MIGUEL ANGEL PADILLA

Order filed granting petition for rehearing.

O'Leary, J.

We Concur: Rylaarsdam, Acting P.J.
 Aronson, J.

CIVIL AMRIT PATEL and HASU PATEL
No. v.
G023360 SOUTHERN CALIFORNIA WATER
 COMPANY et al.

Certified for publication

Opinion filed. Judgment affirmed.

Sills, P.J.

We concur: Rylaarsdam, J.
 Bedsworth, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 17, 2002**

Court re-convened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Bedsworth, J., O'Leary, J., and Fybel, J. M. Urena, Deputy Clerk attending.

CIVIL BANK OF YORBA LINDA
No. v.
G029244 GRAY FAMILY CORPORATION

Merits. Cause called. Jerry T. Morgan argues for appellant. Steven L. Bergh argues for respondent. Cause submitted.

CIVIL MONA LESLIE KELLY
No. v.
G028452 MICHAEL J. KELLY

Merits. Cause called. Joanne D. Ratinoff argues for appellant. Steven E. Briggs argues for respondent. Cause submitted.

CIVIL JOHN R. HALL
No. v.
G028037 CALIFORNIA STATE PERSONNEL BOARD

Merits. Cause called. JoAnn Fitzpatrick argues for appellant. Barrett W. McInerney argues for respondent. Cause submitted.

CIVIL WILLIAM H. EARNEST et al.
No. v.
G027505 TRUCK INSURANCE EXCHANGE

Merits. Cause called. S. Thomas Todd argues for appellant. Margaret K. Maas argues for respondents. R. Richard Farnell is present for respondents. Appellant to file a letter brief by April 26, 2002, at 4:00 p.m. Respondent to file a letter brief by May 3, 2002, at 4:00 p.m. Appellant to file a reply by May 10, 2002, at 4:00 p.m. Cause to be submitted on May 10, 2002.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 17, 2002 (Cont'd)**

Court re-convened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Rylaarsdam, Acting P.J., O'Leary, J., and Moore, J. M. Urena, Deputy Clerk attending.

CIVIL	CONSUMER JUSTICE CENTER
No.	v.
G028184	NATURAL BALANCE, INC. et al.

Merits. Cause called. Scott D. Kumpf argues for appellants. Mark A. Boling argues for respondent. Cause submitted.

CIVIL	THE MONEY STORE INVESTMENT CORP.
No.	v.
G028243	SOUTHERN CALIFORNIA BANK

Merits. Cause called. Scott A. Sommer argues for appellant. Patrick J. McLaughlin argues for respondent. Francis E. Quinlan is present for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 17, 2002 (Cont'd)**

CIVIL	DEBORAH ROBINSON	Not for publication
No.	v.	
G024047	INGRAM MICRO, INC.	

Order filed. Submission of the above matter is vacated and the cause is resubmitted as of this date.

O'Leary, J.

We concur: Rylaarsdam, Acting P.J.
Bedsworth, J.

CIVIL	JOSHUA CRAVEN HOY	Not for publication
No.	v.	
G025291	UNITED SERVICES AUTOMOBILE ASSOCIATION	

Opinion filed. Judgment reversed.

Moore, J.

We concur: Sills, P.J.
Rylaarsdam, J.

CRIM	THE PEOPLE	Not for publication
No.	v.	
G025346	CHRISTOPHER SZABO	

Order filed modifying opinion and denial of petition for rehearing; no change in judgment.

Aronson, J.

We concur: Rylaarsdam, Acting P.J.
Bedsworth, J.

CRIM	THE PEOPLE	Not for publication
No.	v.	
G026809	DWAN ALAN PRYOR	

Opinion filed. Judgment affirmed.

Moore, J.

We concur: Sills, P.J.
Rylaarsdam, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 17, 2002 (Cont'd)**

CRIM No. G028025	THE PEOPLE v. THEODORE FRANK DELONG	Not for publication
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Opinion filed. Judgment affirmed.

Sills, P.J.

We concur: Bedsworth, J.
O'Leary, J.

CRIM No. G028071	THE PEOPLE v. ERIC RYAN HAYDE	Not for publication
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Opinion filed. Judgment affirmed.

Moore, J.

We concur: Rylaarsdam, Acting P.J.
Bedsworth, J.

CIVIL No. G029204	ORANGE COUNTY SOCIAL SERVICES AGENCY v. MARIANNE S.	Not for publication
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G029753	In re MARIANNE S. on Habeas Corpus.
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Opinion filed. Judgment affirmed. Writ denied.

O'Leary, J.

We concur: Rylaarsdam, Acting P.J.
Moore, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 17, 2002 (Cont'd)**

CIVIL
No.
G029878

ORANGE COUNTY SOCIAL
SERVICES AGENCY
v.
SUSAN V.

Not for publication

Opinion filed. Judgment affirmed.

Moore, J.

We concur: Sills, P.J.
Rylaarsdam, J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 18, 2002**

Court re-convened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Rylaarsdam, J., Bedsworth, J., O'Leary, J., Moore, J., Aronson, J., and Fybel, J. M. Urena, Deputy Clerk attending.

CRIM In re RONALD WALKER
No. on
G029425 Habeas Corpus.

Merits. Cause called. Richard Weinthal argues for petitioner. Holly Wilkens, Deputy Attorney General argues for respondent. Cause submitted.

CRIM THE PEOPLE
No. v.
G028594 GORDON A. WARD

Merits. Cause called. Richard L. Schwartzberg argues for appellant. Lilia Garcia, Deputy Attorney General argues for respondent. Cause submitted.

CIVIL ANDREW R. MIRZAOFF
No. v.
G027756 CITY OF NEWPORT BEACH et al.

Merits. Cause called. Richard Hawkins argues for appellant. Daniel K. Ohl, Deputy City Attorney argues for respondent City of Newport Beach. Kirsten R. Bowman, Deputy State Attorney argues for respondent State of California. Cause submitted.

CRIM THE PEOPLE
No. v.
G027937 EPAIN ALARCON

Merits. Cause called. William R. Salisbury argues for appellant. Lora Martin, Deputy Attorney General argues for respondent. Cause submitted.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 18, 2002 (Cont'd)**

CRIM THE PEOPLE
No. v.
G026736 JORGE IGNACIO MARIN et al.
 (Consolidated with G026789, G028763, and G029782)

Merits. Cause called. Michael Ian Garey argues for appellant and petitioner Jorge Marin. Richard L. Schwartzberg argues for appellant and petitioner Omar Villasenor. Maxine Cutler, Deputy Attorney General argues for respondent. Cause submitted.

CRIM THE PEOPLE
No. v.
G028344 MICHAEL D. SWOOPE, JR.
G029678

Merits. Cause called. Leslie C. Conrad argues for appellant and petitioner. Gary W. Brozio, Deputy Attorney General argues for respondent. Cause submitted.

CRIM THE PEOPLE
No. v.
G028435 JERRY D. PEACOCK

Merits. Cause called. Richard L. Schwartzberg argues for appellant. Denise Crawford, Certified Law Student argues for respondent. Rhonda Cartwright-Ladendorf, Supervising Deputy Attorney General is present for respondent. Cause submitted.

CRIM THE PEOPLE
No. v.
G027838 JUDY DIANE VALOT

Merits. Cause called. Patricia J. Ulibarri argues for appellant. Gary W. Brozio, Deputy Attorney General argues for respondent. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 18, 2002 (Cont'd)**

CIVIL No. G025551 G026028	STEINY & COMPANY, INC. et al. v. J. A. JONES CONSTRUCTION COMPANY	Not for publication
	Opinion filed. Judgment affirmed in part, reversed in part, and remanded.	
	We concur: Aronson, J. Fybel, J.	Rylaarsdam, Acting P.J.
CIVIL No. G028809	COUNTY OF ORANGE v. DANIEL QUINN	Certified for publication
	Opinion filed. Judgment reversed and remanded.	
	We concur: Rylaarsdam, J. Bedsworth, J.	Sills, P.J.
CRIM No. G029610	THE PEOPLE v. PHILLIP R. NORMAN	Not for publication
	Opinion filed. Judgment affirmed.	
	We concur: Bedsworth, J. O'Leary, J.	Rylaarsdam, Acting P.J.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 19, 2002**

Court re-convened at 9:30 a.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Sills, P.J., Rylaarsdam, J., Bedsworth, J., and O'Leary, J. M. Urena, Deputy Clerk attending.

CRIM	THE PEOPLE
No.	v.
G027216	RAFAEL ANGUIANO

Merits. Cause called. James C. Angleton argues for appellant. Garrett Beaumont, Deputy Attorney General argues for respondent. Cause submitted.

CRIM	THE PEOPLE
No.	v.
G029014	GLORIA TERISIA JENNINGS

Merits. Cause called. Megan A. Richmond argues for appellant. Kelley A. Johnson, Deputy Attorney General argues for respondent. Cause submitted.

CIVIL	ORANGE COUNTY SOCIAL SERVICES AGENCY
No.	v.
G029764	TAMARA M. et al.

Merits. Cause called. Joseph T. Tavano argues for appellant Tamara M. Stephen S. Buckley argues for appellants Ronald, Jamie, and Krystal M. Ward Brady, Deputy County Counsel argues for respondent. Michael D. Randall argues for respondent Ryan M. Ted R. Youmans argues for respondent Michelle M. Cause submitted.

CIVIL	ROQUE S. RICHIE
No.	v.
G027612	TUTTLE-CLICK, INC. et al.

Merits. Cause called. Michael Dawe argues for appellant. Michael B. Tannatt argues for respondents. Cause submitted.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 19, 2002 (Cont'd)**

CIVIL TUTTLE-CLICK AUTOMOTIVE GROUP et al.
No. v.
G028606 BANCAMERICA AUTO FINANCE CORP.

Merits. Cause called. Michael B. Tannatt argues for appellant. Michael G. Dawe argues for respondents. Cause submitted.

CIVIL OPTICAL TECHNOLOGIES, INC.
No. v.
G028209 ALVA METCALF et al.

Merits. Cause called. Michael A. Oswald argues for appellants. No appearance made for respondent. Cause submitted.

CIVIL THE CITY OF COSTA MESA
No. v.
G030047 SUPERIOR COURT;
 LORENA MAAE et al.

Merits. Cause called. M. Lois Bobak argues for petitioner. Anthony Sessa argues for real party in interest. Patrick A. Rossetti is present for real party in interest. Cause submitted.

CIVIL NICK JESSON
No. v.
G030498 GRAY DAVIS et al.

Merits. Cause called. Nick Jesson argues on his own behalf. Thomas A. Willis argues for respondent Gray Davis. Eric Grant argues for respondent Bill Simon. Respondent Edie Bukewihge argues on her own behalf. Charles K. Bell made no appearance for respondent Bill Jones. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 19, 2002 (Cont'd)**

Court re-convened at 1:30 p.m. in the courtroom located at 925 N. Spurgeon Street, Santa Ana, California 92701. Panel members are Rylaarsdam, Acting P.J., Bedsworth, J., and O'Leary, J. M. Urena, Deputy Clerk attending.

CRIM No. G029364	ANTHONY GLENN VIRGLE v. SUPERIOR COURT; THE PEOPLE (Consolidated with G029448, G030045, and G030037 for purposes of oral argument)
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Merits. Cause called. Donald Earl Landis, Deputy Public Defender argues for petitioners Anthony Virgle, Derrick Ocegueda, and Mark Quinonez. Brian N. Gurwitz, Deputy District Attorney argues for petitioner The People in G029448. Brian N. Gurwitz, Deputy District Attorney argues for real party in interest The People in G029364, G030045, and G030037. Donald Earl Landis argues for real party in interest Anthony Virgle in G029448. Cause submitted.

Court declared a recess.

**State of California, Court of Appeal
Fourth Appellate District, Division 3
April 19, 2002 (Cont'd)**

CRIM No. G025767	THE PEOPLE v. ALEJANDRO P. GONZALEZ And JAIME PANO	Certified for publication
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Opinion filed. Judgment affirmed in part and reversed in part.

Aronson, J.

We concur: Sills, P.J.
Moore, J.

CIVIL No. G028650	SAL HASSAN v. CITY OF CYPRESS	Not for publication
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Opinion filed. Judgment affirmed.

Fybel, J.

We concur: Sills, P.J.
Rylaarsdam, J.

CIVIL No. G030498	NICK JESSON v. GRAY DAVIS et al.	Certified for publication
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Opinion filed. Judgment affirmed.

Sills, P.J.

We concur: Rylaarsdam, J.
O'Leary, J.